

declared the office vacant. It is obviously not the intention of the Committee on Style to make any such change, and I would ask that those stricken words be returned.

THE PRESIDENT: State that again, please, Delegate Penniman.

DELEGATE PENNIMAN: Lines 20 to 23, beginning with "if the Court of Appeals" and ending with the words in line 23, "shall be vacant", were inadvertently taken out of the report as it came from the Committee of the Whole. They are necessary to make clear that not only does the Court of Appeals decide that the man cannot carry out the duties of his office, but also that the office is therefore vacant.

THE PRESIDENT: Is there any objection to considering the typographical error corrected so as not to delete the sentence beginning in line 20 and continuing in lines 21, 22, and 23 on page 4?

The Chair hears none. That sentence will not be deleted.

Delegate Penniman.

DELEGATE PENNIMAN: In section 4.09, we come to the problem of the reference to the presiding officer of the Senate. As it came to us from the legislative branch article, the presiding officer of the Senate was referred to in precisely those words, in LB-3.13. It refers to the presiding officer of the House and the presiding officer of the Senate. We therefore felt that it was inappropriate to have the presiding officer of the Senate referred to as the president of the Senate in an article coming from the executive branch, and so we removed it and changed it back to the phrase that was in the legislative branch article which referred to him as the presiding officer of the Senate. That, then, is true in both 4.09 and in 4.10, and I believe also in 4.11.

In 4.11, we have made a change on page 6. In line 2, where it speaks of removal from office, we have changed it to "the creation of a vacancy" since in this instance, it refers to retirement for disability. Therefore we would not want to place a man under a stigma of referring to it as a removal, but rather his retirement or the creation of a vacancy. This would be in line with the same kinds of changes which we made in Article 5.

In section 4.12, line 13, there is an error again on our part. I would like to change line 13 to read, "The governor from time to time shall inform". I would simply like to

pull "shall" on the other side of the second "time" so as not to split the verb.

THE PRESIDENT: Is there any objection to considering the Committee's amendment modified so on page 6, line 13, the word "shall" after the word "governor" is moved to after the words "time to time"?

The Chair hears none, so the change will be considered as made.

Delegate Penniman.

DELEGATE PENNIMAN: There is some slight change in lines 14 and 15 as to the order of words.

In 4.16, which had been 4.17, there is some revision which seeks to put again in chronological order how one handles the return of vetoed bills.

In 4.17 there is a slight change in the order in which the words appear, but no change in the words. In line 33, we have left in the word "such" and as we would not have done so in the Committee on Style, I would like to change "such" to "those". I would like in line 32 to put in an "or" before "the governor" and change the "and" to "or any other officer".

THE PRESIDENT: Will you give them again?

DELEGATE PENNIMAN: In line 33, I would like to change the "such" to "those other powers", and in line 32 to insert an "or" after "officer." Then I would like to change the "and" which follows "governor", to "or".

THE PRESIDENT: Is there any objection to considering the recommendations of the Committee modified so that in line 33 on page 7 the word "such" is changed to "those" and in the blank space in 42 after the word "officer" the word "or" is inserted, and in the same line the word "and" is changed to the word "or"?

The Chair hears no objection, so the modifications will be considered as having been made.

DELEGATE PENNIMAN: I received a note which says: "I cannot wait for an explanation of the style change in section 4.18." It comes from Mr. Johnson. The reason it comes from Mr. Johnson is that the Committee on Style had inserted in line 4 "for at least five years" which are precisely the words I argued Delegate Johnson down on last night when he sought to insert them into Article 5. I should like the intelligence of the convention to remove